

Introduced by Senator Perata

February 25, 2000

An act to amend Section 39007 of, and to add Section 39010 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1997, as introduced, Perata. Vehicles: bicycles: identification: registration and licensing.

(1) Existing law authorizes cities and counties to provide, by ordinance or resolution, that no resident may operate a bicycle on any highway or other public property within the jurisdiction of that local entity unless the bicycle is licensed as specified. Existing law requires the Department of Motor Vehicles to design, procure, and distribute bicycle license indicia and registration forms to all counties and cities that have adopted the specified ordinance or resolution. Cities and counties are required to issue the indicia and forms to bicycle owners, impose fees for that licensing and registration, and maintain bicycle registration records.

Existing law requires bicycle retailers and dealers to supply purchasers with registration forms for submission to the licensing city or county.

Existing law prohibits any bicycle retailer from selling any new bicycle in this state unless the bicycle bears a serial number, as specified.

This bill would prohibit, on and after January 1, 2004, any bicycle retailer from selling any new bicycle in this state unless the serial number required as specified above is preceded by the letters "SN" legibly and permanently



stamped or cast on the frame in not less than $\frac{1}{8}$ inch size. Because a violation of this provision would be an infraction under other provisions of the Vehicle Code, the bill would impose a state-mandated local program by creating a new crime.

The bill would authorize an internet bicycle registration service, as defined, to register bicycles and issue bicycle licenses. A bicycle registered with an internet bicycle registration service would be deemed to be registered and licensed in accordance with existing law, and a bicycle retailer or dealer who, at the time of sale, provides for registration of the bicycle with an internet bicycle registration service would be deemed to have complied with a specified provision of existing law relating to providing bicycle registration information at the time of sale.

The bill would limit the fees charged by an internet bicycle registration service to specified amounts.

The bill would limit the use of certain personal identification information in a database maintained by the service to specified purposes. Because a violation of this provision would be a crime, the bill would impose a state-mandated local program by creating a new crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) Bicycle theft is a statewide problem that results in
4 economic loss to thousands of California families each
5 year.

6 (b) Bicycle theft also results in a reduced use of
7 bicycles in California.



1 (c) Local police agencies recover thousands of lost and
2 stolen bicycles each year.

3 (d) Only a small portion of these stolen or lost bicycles
4 are ever returned to their rightful owners.

5 (e) The primary reason local police agencies are
6 unable to return recovered bicycles is because they
7 cannot locate the rightful owners.

8 (f) Existing local registration systems do not allow law
9 enforcement agencies in other jurisdictions to easily
10 search for the rightful owners of bicycles they recover.

11 (g) Local registration systems have experienced
12 difficulty in correctly identifying the correct serial
13 number to use to register some bicycles.

14 (h) Expansion and improvements in the use of
15 internet technology has created an opportunity to resolve
16 many of these problems.

17 (i) Bicycles can be registered using internet
18 technology that allows immediate registration at point of
19 sale or at home, and makes it simple for local law
20 enforcement agencies to search for and locate the rightful
21 owners of recovered bicycles.

22 (j) Therefore, the intent of the Legislature in enacting
23 this act is to encourage the use of internet technology for
24 bicycle registration and to improve the rate of return of
25 recovered bicycles to their rightful owners.

26 SEC. 2. Section 39007 of the Vehicle Code is amended
27 to read:

28 39007. (a) After December 31, 1976, no bicycle
29 retailer ~~shall~~ may sell any new bicycle in this state unless
30 such bicycle has legibly and permanently stamped or cast
31 on its frame a serial number, no less than one-eighth inch
32 in size, and unique to the particular bicycle of each
33 manufacturer. The serial number only shall be stamped
34 or cast in the head of the frame, either side of the seat
35 tube, the toeplate, or the bottom sprocket (crank)
36 housing.

37 (b) *On and after January 1, 2004, no bicycle retailer*
38 *may sell any new bicycle in this state unless the serial*
39 *number required under subdivision (a) is preceded by*

1 *the letters “SN” legibly and permanently stamped or cast*
2 *on the frame in not less than one-eighth inch size.*

3 SEC. 3. Section 39010 is added to the Vehicle Code, to
4 read:

5 39010. (a) For purposes of this section an “internet
6 bicycle registration service” is an organization that does
7 all of the following:

8 (1) Provides a system for permanent registration and
9 licensing of bicycles.

10 (2) Maintains an electronic data base of bicycle
11 registration numbers and other pertinent information,
12 such as the information required to be maintained by
13 cities and counties under Section 39005.

14 (3) Provides applicants for bicycle registration with a
15 registration form containing essentially the same
16 information that is provided on the form distributed by
17 the department under Section 39001.

18 (4) Provides persons who have registered their
19 bicycles with license indicia to be attached to the bicycle.
20 Each license shall identify the service that registered the
21 bicycle and display the bicycle’s registration number. The
22 license indicia shall be adhesive, durable, flexible, and of
23 a size to permit it to be affixed to the front of the seat tube
24 of the bicycle frame.

25 (5) Provides internet access to the bicycle registration
26 data base in a manner that allows law enforcement
27 agencies to independently search that data base.

28 (6) Allows persons who have registered their bicycles
29 with the service to make donations for the support of local
30 bicycle paths and lanes.

31 (b) An internet bicycle registration service may
32 register bicycles and issue bicycle licenses under this
33 division.

34 (c) A bicycle registered with an internet bicycle
35 registration service shall be deemed to be registered and
36 licensed in accordance with this division.

37 (d) A bicycle retailer or dealer who, at the time of sale,
38 provides for registration of the bicycle with an internet
39 bicycle registration service shall be deemed to have
40 complied with Section 39006.

1 (e) The fees assessed by an internet bicycle
2 registration service may not exceed the amounts
3 authorized under Section 39004.

4 (f) Any name, address, telephone number, or other
5 personal identification information contained in the
6 database maintained under paragraph (2) of subdivision
7 (a) shall be used only for the purpose of locating and
8 recovering lost or stolen bicycles, unless another use is
9 authorized by the express written permission of the
10 bicycle registrant. A violation of this section is subject to
11 the criminal penalties authorized under Section 1808.45
12 and the civil penalties authorized under Section 1808.46.

13 SEC. 4. No reimbursement is required by this act
14 pursuant to Section 6 of Article XIII B of the California
15 Constitution because the only costs that may be incurred
16 by a local agency or school district will be incurred
17 because this act creates a new crime or infraction,
18 eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition
21 of a crime within the meaning of Section 6 of Article
22 XIII B of the California Constitution.

